



Patent
Attorney's Docket No. 034134-002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Yoshikatsu Kodama et al.) Group Art Unit: 1614
Application No.: 09/903,734) Examiner: VICKIE Y. KIM
Filed: July 13, 2001) Confirmation No.: 9324
For: PHARMACEUTICAL COMPOSITION)
USEFUL IN THE TREATMENT OF)
PEPTIC ULCERS)

**REQUEST TO APPLY PREVIOUSLY PAID ISSUE FEE AND PUBLICATION FEE
FOR PAYMENT OF ISSUE FEE AND PUBLICATION FEE IN CONNECTION
WITH THE NEW NOTICE OF ALLOWANCE AND ISSUE FEE(S) DUE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby request that the Issue Fee and Publication Fee previously paid on October 14, 2003 be applied to the new Notice of Allowance and Fee(s) Due mailed on May 25, 2004.

A Notice of Allowance and Fee(s) Due was issued on July 16, 2003. In response thereto, applicants timely submitted a total of \$1,630.00 (\$1,330 for the Issue Fee and \$300 for the Publication Fee) on October 14, 2003. Attached hereto as Exhibit A is a copy of the Payment of Issue Fee and Publication Fee, Part B - Fee Transmittal with attachment, and the date-stamped postcard receipt for October 14, 2003.

On October 15, 2004, a Notice of Withdrawal from Issue Under 37 C.F.R. § 1.313(b) was issued. The Notice of Withdrawal states that "the [previously paid] issue fee can be applied toward payment of the issue fee in the amount identified on the new Notice of Allowance and Issue Fee Due upon written request." A new Notice of Allowance and Fee(s)

Due was then mailed by the United States Patent and Trademark Office on May 25, 2004.

Accordingly, a new Notice of Allowance was mailed by the United States Patent and Trademark Office on June 16, 2004.

Accordingly, applicants hereby request in writing as instructed in the Notice of Withdrawal to apply the Issue Fee and Publication Fee previously paid on October 14, 2003 in the total amount of \$1,630.00 to the new Notice of Allowance mailed on May 25, 2004.¹ A completed and signed copy of the newly issued Part B - Fee(s) Transmittal is attached hereto.

The Director is hereby authorized to charge any fees under 37 C.F.R. § 1.18, 1.19, and 1.21 that may be required by the attached newly issued Part B – Fee(s) Transmittal Form or in connection with the publication of this application, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: July 3, 2004

By: Susan M. Dadio

Susan M. Dadio
Registration No. 40,373

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¹ Applicants also submitted, on October 14, 2003, an Advance Order for one copy and the required \$3.00 fee. See Exhibit A (postcard). Applicants request that this previously paid amount be applied to the Advance Order for one copy requested in the attached newly issued Part B - Fee Transmittal Form.



Patent
Attorney's Docket No. 011900-310

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of) **MAIL STOP ISSUE FEE**
Yoshikatsu KODAMA et al.) Confirmation No.: 9324
Application No.: 09/903,734)
Filed: July 13, 2001)
For: PHARMACEUTICAL COMPOSITION)
USEFUL IN THE TREATMENT OF)
PEPTIC ULCERS)

**PAYMENT OF ISSUE FEE AND PUBLICATION FEE
AND AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT FOR ANY DEFICIENCY**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A check for the required Issue Fee and Publication Fee in the above-identified application is enclosed. If the check has become separated from this paper, or if the amount of the check is incorrect, the Director is hereby authorized to charge any fees under 37 C.F.R. §§ 1.18, 1.19, and 1.21 that may be required by the attached Issue Fee Transmittal Form or in connection with the publication of this application, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By:

Platon N. Mandros
Registration No. 22,124

Date: Oct 14, 2003

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ATTACHMENT

Part B — Fee(s) Transmittal

Inventor: Yoshikatsu KODAMA et al.
Application No.: 09/903,734
Filing Date: July 13, 2001
Attorney Docket No.: 011900-310

3.

A. Name of Assignee(s):

- (1) GHEN CORPORATION
- (2) NISSHIN PHARMA INC.

B. Residence of Assignee(s):

- (1) Gifu-Shi, Gifu, Japan
- (2) Chiyoda-Ku, Tokyo, Japan